

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 11, 13, 15, 16, 18, 20, 21, 23, and 25 through 29 are pending, with Claims 11, 16, 21, 26, and 27 being independent. Claims 14, 19, 24, 30, and 31 have been cancelled without prejudice. Claims 11, 13, 15, 16, 18, 20, 21, 23, and 25 through 27 have been amended.

Claims 21, 23 through 25, 27, 29, and 31 were rejected under 35 U.S.C. § 101 as being non-statutory. All rejections are respectfully traversed. Applicants respectfully submit that the claimed medium, which is recited as --storing-- a program, is a tangible, non-ephemeral construction of matter, and thus is statutory in this case. Applicants submit that the claims are limited to a practical application in the technological arts; and that the claimed invention is not a natural phenomenon, abstract idea, law of nature, “descriptive material”, or “mere manipulation of abstract ideas”. MPEP 2106.

Claims 11, 13 through 16, 18 through 21, and 23 through 31 were variously rejected under 35 U.S.C. §§ 102 and 103 over US 6,469,737 B1 (Igarashi, et al.) or US 2002/0146238 A1 (Sugahara) in view of Igarashi, et al. All rejections are respectfully traversed.

Claims 11, 16, and 21 variously recite, *inter alia*, determining a time for dividing the moving picture data in a case where the receiving step (Claims 11 and 21) or unit (Claim 16) receives a camera control command for controlling the shooting direction of the camera unit from a first shooting direction to a second shooting direction when the camera unit is taking the moving picture data in the first shooting direction, so as to generate a first moving picture file and a second moving picture file, the first moving picture file including moving picture data taken by the camera unit before the receiving of the camera control command and excluding moving picture data taken by the camera unit after the controlling of the shooting direction of the

camera unit according to the camera control command, and the second moving picture file including moving picture data taken by the camera unit after the controlling of the shooting direction of the camera unit according to the camera control command and excluding moving picture data taken by the camera unit before the receiving of the camera control command.

Claims 26 and 27 variously recite, *inter alia*, determining a time for dividing the moving picture data, based on the area information about the prohibited area and a shooting direction of the camera unit controlled according to the camera control command such that (a) a first moving picture file based on a first moving picture data taken by the camera unit in a first direction, (b) a second moving picture file based on a second moving picture data taken by the camera unit in a second direction, and (c) a third moving picture file based on a third moving picture data taken by the camera unit in a third direction are generated in a case where the shooting direction of the camera unit is controlled in accordance with the camera control command such that (a) the first direction is one in which the prohibited area is not included, (b) the second direction is one in which the prohibited area is included, and (c) the third direction is one in which the prohibited area is not included.

However, Applicants respectfully submit that none of the applied documents, even in the proposed combination, assuming, *arguendo*, that such could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 11, 16, 21, 26, and 27.

The Official Action refers, for example, to Igarashi, et al. Fig. 17's "GIF" files, and Sugahara Fig. 3's Programs 1-3, etc., but Applicants submit that they provide neither a description nor a suggestion of at least the above-discussed claimed features.

Applicants further respectfully submit that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicants
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Facsimile: (212) 218-2200
DSG/jjr